

Date: April 17, 2002
File No: 81553

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re U.S. Patent Application

Applicant: Leonard Ekkert

Serial No.: 10/077,367

Filed: February 15, 2002

For: APPARATUS AND METHOD
ALLOWING GAS FLOW INTO
AND/OR OUT OF CONTAINER
ASSEMBLIES



I hereby certify that this correspondence is being deposited with the United Postal Service as first class mail in an envelope addressed to: Box MISSING PARTS / Commissioner for Patents / Washington, DC 20231, on April 17, 2002

Gerald T. Shekleton
Reg. No. 27,466

COMPLETION OF FILING REQUIREMENTS

Box MISSING PARTS
Commissioner for Patents
Washington, D.C. 20231

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Sir:

Transmitted herewith in response to the Notice to File Missing Parts of Application

-- Filing Date Granted dated March 18, 2002, are:

- (X) Declaration or Oath for this application.
- () Filing fee for this application.
- () Assignment(s) of the invention to _____.
- () Petition for Extension of Time.
- (X) Other: Three (3) Sheets of Corrected Formal Drawings
- () A Check in the amount of \$.00 to cover the filing fee, surcharge and assignment recordal fee.
- () Charge \$ _____ to Deposit Account No. 23-0920.
- () The Commissioner is hereby authorized to charge any additional fees which may be required to this application under 37 C.F.R. §§1.16-1.17, or credit any overpayment, to Deposit Account No. 23-0920. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 23-0920. A duplicate copy of this sheet is enclosed.

120 South Riverside Plaza
22nd Floor
Chicago, Illinois 60606-3913
Telephone: (312) 655-1500

WELSH & KATZ, LTD.

By

Gerald T. Shekleton
Registration No. 27,466



UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS
UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, D.C. 20231
www.uspto.gov

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/077,367	02/15/2002	Leonard Ekkert	81553

Gerald T. Shekleton, Esq.
Welsh & Katz, Ltd.
22nd Floor
120 S. Riverside Plaza
Chicago, IL 60606



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CONFIRMATION NO. 3718

FORMALITIES LETTER



OC00000007664872

Date Mailed: 03/18/2002

Adjustment date: 05/29/2002 SSALEEKU
05/01/2002 MBERHE 00000003 10077367
01 FC: 205 -65.00 OP

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

Repln. Ref: 05/29/2002 SSALEEKU 0012455100
DAH: 23620 Name/Number: 10077367
FC: 704 \$65.00 CR

FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is missing.
A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(l) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.
- The balance due by applicant is \$ 65.

The application is informal since it does not comply with the regulations for the reason(s) indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

- Substitute drawings in compliance with 37 CFR 1.84 because:
 - drawing sheets do not have the appropriate margin(s) (see 37 CFR 1.84(g)). Each sheet must include a top margin of at least 2.5 cm. (1 inch), a left side margin of at least 2.5 cm. (1 inch), a right side margin of at least 1.5 cm. (5/8 inch), and a bottom margin of at least 1.0 cm. (3/8 inch);

The following item(s) appear to have been omitted from the application:

- Figure(s) 4a described in the specification.

I. Should applicant contend that the above-noted omitted item(s) was in fact deposited in the U.S. Patent and

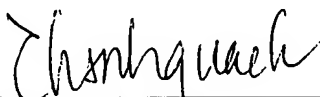
Trademark Office (USPTO) with the nonprovisional application papers, a copy of this Notice and a petition (and \$130.00 petition fee (37 CFR 1.17(h))) with evidence of such deposit **must** be filed within **TWO MONTHS** of the date of this Notice. The petition fee will be refunded if it is determined that the item(s) was received by the USPTO.

II. Should applicant desire to supply the omitted item(s) and accept the date that such omitted item(s) was filed in the USPTO as the filing date of the above-identified application, a copy of this Notice, the omitted item(s) (with a supplemental oath or declaration in compliance with 37 CFR 1.63 and 1.64 referring to such items), and a petition under 37 CFR 1.182 (with the \$130.00 petition fee (37 CFR 1.17(h))) requesting the later filing date **must** be filed within **TWO MONTHS** of the date of this Notice.

III. The failure to file a petition (and petition fee) under the above options (I) or (II) within **TWO MONTHS** of the date of this Notice (37 CFR 1.181(f)) will be treated as a constructive acceptance by the applicant of the application as deposited in the USPTO. **THIS TWO MONTH PERIOD IS NOT EXTENDABLE UNDER 37 CFR 1.136(a) or (b)**. In the absence of a timely filed petition in reply to this Notice, the application will maintain a filing date as of the date of deposit of the application papers in the USPTO, and original application papers (*i.e.*, the original disclosure of the invention) will include only those application papers present in the USPTO on the date of deposit.

In the event that applicant elects not to take action pursuant to options (I) or (II) above (thereby constructively electing option (III)), amendment of the specification to renumber the pages consecutively and cancel incomplete sentences caused by any omitted page(s), and/or amendment of the specification to cancel all references to any omitted drawing(s), relabel the drawing figures to be numbered consecutively (if necessary), and correct the references in the specification to the drawing figures to correspond with any relabelled drawing figures, is required. Any drawing changes should be accompanied by a copy of the drawing figures showing the proposed changes in red ink. Such amendment and/or correction to the drawing figures, if necessary, should be by way of preliminary amendment submitted prior to the first Office action to avoid delays in the prosecution of the application.

*A copy of this notice **MUST** be returned with the reply.*



Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE

CERTIFICATE OF MAILING BY FIRST CLASS MAIL (37 CFR 1.8)Applicant(s): **PHOENIX CLOSURES, INC.**

Docket No.

81553

Serial No.

10/077,367

Filing Date

02/15/2002**APR 29 2002**

Examiner

Group Art Unit

Invention:

APPARATUS AND METHOD ALLOWING GAS FLOW INTO AND/OR OUT OF CONTAINER ASSEMBLIES**COPY OF PAPERS
ORIGINALLY FILED**I hereby certify that this **PRELIMINARY AMENDMENT AND RELATED PAPERS***(Identify type of correspondence)*

is being deposited with the United States Postal Service as first class mail in an envelope addressed to: The

Assistant Commissioner for Patents, Washington, D.C. 20231 on

04/18/2002*(Date)***GERALD T. SHEKLETON***(Typed or Printed Name of Person Mailing Correspondence)**(Signature of Person Mailing Correspondence)***Note: Each paper must have its own certificate of mailing.**

In Re Patent Application
Leonard Ekkert

APPARATUS AND METHOD ALLOWING GAS FLOW INTO AND/OR OUT OF
CONTAINER ASSEMBLIES

PATENT
81553

GTS/jls

February 15, 2002

Transmittal Letter; Specification 14 pages; 3 sheets of formal drawings; an
executed Declaration; check in the amount of \$740.0 for filing fee; an application
data sheet; Certificate of Express Mailing (EL769847925US) and this postcard
Assistant Commissioner for Patents

Sir:

Please acknowledge receipt of the above-identified documents by applying the
Patent and Trademark Office receipt hereto and mailing this card.

Respectfully submitted,
WELSH & KATZ, LTD.

11046 U.S. PTO
10/077367



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WELSH & KATZ, LTD.
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